

Docket No.: NUTRI.018RA

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MAR 13 2006 Page 1 of 2Please Direct All Correspondence to Customer Number 20995**NOTICE OF APPEAL**

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : McCarty, Mark F.
 App. No : 09/912,472
 Filed : July 24, 2001
 For : CHROMIUM/BIOTIN TREATMENT
 OF TYPE II DIABETES
 Examiner : Cook, Rebecca
 Art Unit : 1614

CERTIFICATE OF FAX TRANSMISSION
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I hereby certify that this correspondence and all
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March 13, 2006
(Date)
Mallary K. de Merlier, Reg. No. 51,609

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 14, 2005 finally rejecting Claims 1-26.

The present application qualifies for Small Entity Status under 37 CFR 1.27.

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Notice of Appeal	41.20(b)(1)	2401 (\$250)		\$250
			Subtotal	\$250
2 Month Extension	1.17(a)(2)	2252 (\$225)		\$(225)
3 Month Extension	1.17(a)(3)	2253 (\$510)		\$510
			Subtotal	285
			TOTAL FEE DUE	\$535

(X) An extension of time is hereby requested by payment of the appropriate fee indicated above. On February 9, 2006, Applicant filed a Supplemental Declaration with a two month extension fee of \$225. The extension fee total of \$285 reflects the difference between the two month extension fee paid on February 9, 2006 of \$225 and three month extension fee of \$510.

(X) Please charge \$535 to Deposit Account No. 11-1410.

03/15/2006 EFLORES 00000087 111410 09912472

01 FC:2401 250.00 DA

03/15/2006 EFLORES 00000087 111410 09912472

02 FC:2253 285.00 DA

PAGE 1/2 * RCVD AT 3/13/2006 6:09:58 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/21 * DNIS:2738300 * CSID:16192350176 * DURATION (mm:ss):01-02

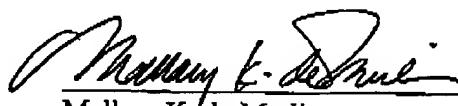
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Dated: March 13, 2006



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